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7 *STATE FARM FIRE AND CASUALTY*
COMPANY

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9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 DANIELLE RHODES, an individual; and
JUAN TERRI RHODES, an individual,,
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13 Plaintiffs,
v.
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15 STATE FARM FIRE AND CASUALTY
COMPANY, a foreign corporation; DOE
INDIVIDUALS I-X, inclusive; and ROE
CORPORATIONS I-X, inclusive,
16 Defendants.

CASE NO.: 2:23-cv-00023-GMN-DJA

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

[SECOND REQUEST]

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18 Pursuant to LR 6-1 and LR 26-3, the parties, by and through their respective counsel of
19 record, hereby stipulate and request that this Court extend discovery in the above-captioned case by
20 sixty (60) days, up to and including Friday, December 8, 2023. In addition, the parties request that
21 all other future deadlines contemplated by the Discovery Plan and Scheduling Order be extended
22 pursuant to Local Rule. In support of this Stipulation and Request, the parties state as follows:

- 23 1. On November 22, 2022, Plaintiffs filed their Complaint in the Eight Judicial District
24 Court.
- 25 2. On January 5, 2023, Defendant removed the case to Federal Court.
- 26 3. On January 12, 2023, Defendant filed its Answer to Complaint.
- 27 4. On January 19, 2023, the parties conducted an initial FRCP 26(f) conference.
- 28 5. On January 31, 2023, Plaintiff served his FRCP 26 Initial Disclosures on Defendant.

6. On February 2, 2023 Defendant served its FRCP 26 Initial Disclosures on Plaintiff.
7. On March 14, 2023, Defendant served its First Supplement to FRCP 26 Initial Disclosures on Plaintiff.
8. On March 30, 2023, Defendant served its Second Supplement to FRCP 26 Initial Disclosures on Plaintiff.
9. On April 24, 2023, Defendant served its first set of set of written discovery on Plaintiffs. Plaintiffs' responses are due on July 10, 2023.

DISCOVERY REMAINING

1. The parties will continue participating in written discovery.
2. Defendant State Farm will depose Plaintiffs.
3. Plaintiff will depose State Farm representatives.
4. Plaintiff will depose Defendant's FRCP 30(b)(6) witness(es).
5. The parties may depose any and all other witnesses identified through discovery.

WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

The parties aver, pursuant to Local Rule 26-3, that good cause exists for the requested extension. This Request for an extension of time is not sought for to delay the proceedings or for any improper purpose. Rather, the parties seek this extension solely to allow sufficient time to conduct discovery. Plaintiffs have requested a forty-five (45) day extension of time to complete their discovery responses up to and including July 10, 2023. Plaintiff's delay in being able to complete discovery responses is due to a question of guardianship on behalf of Plaintiff Juanterri Rhodes who currently resides outside of Nevada. The guardianship for Plaintiff Juanterri Rhodes needs to be in place in order for Mr. Rhodes, through a guardian, to be able to respond to discovery and otherwise participate in these proceedings. Counsel for Plaintiffs believes the guardianship issue will be resolved within the next forty-five (45) days.

In addition, the parties' experts need additional time to prepare their reports. Also, all parties require additional time to complete discovery. A sixty (60) day extension of the discovery deadlines will allow the parties to coordinate and prepare for the mediation. For those reasons, the parties

1 respectfully request a brief extension of the discovery deadlines in this matter.

2 Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-3 governs
3 modifications or extension of the Discovery Plan and Scheduling Order. Any stipulation or motion
4 to extend or modify that Discovery Plan and Scheduling Order must be made no later than twenty-
5 one (21) days before the expiration of the subject deadline and must comply fully with LR 26-3.

6 This is the second request for extension of time in this matter. The parties respectfully
7 submit that the reasons set forth above constitute compelling reasons for the short extension.

8 The following is a list of the current discovery deadlines and the parties' proposed extended
9 deadlines:

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	<i>Monday, October 9, 2023</i>	<i>Friday, December 8, 2023</i>
Deadline to Amend Pleadings or Add Parties	<i>Friday, July 21, 2023</i>	<i>Tuesday, September 18, 2023</i>
Expert Disclosure pursuant to FRCP26 (a)(2)	<i>Thursday, August 10, 2023</i>	<i>Monday, October 9, 2023</i>
Rebuttal Expert Disclosure pursuant to FRCP. 26(a)(2)	<i>Friday, September 8, 2023</i>	<i>Tuesday, November 7, 2023</i>
Dispositive Motions	<i>Wednesday, November 8, 2022</i>	<i>Monday, January 8, 2024</i>
Joint Pretrial Order	<i>Friday, December 8, 2023.</i>	<i>Tuesday, February 6, 2024</i> <i>If dispositive motions are pending, the parties will submit their Joint Pretrial Order within thirty (30) days of the Court's order as to any dispositive motions.</i>

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1 WHEREFORE, the parties respectfully request this Court extend the discovery period by
2 sixty (60) days from the current deadline of October 9, 2023 up to and including December 8, 2023,
3 and extend the other dates as outlined in accordance with the table above.

4 DATED this 19th day of May, 2023.

DATED this 19th day of May, 2023.

5 LEWIS BRISBOIS BISGAARD & SMITH

THE POWELL LAW FIRM

6
7 /s/ Jennifer A. Taylor

/s/ Daniel R.C. De Luca

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11 *Attorneys for Defendant State Farm Fire and Casualty*
12 *Company*

Attorneys for Plaintiffs Danielle Rhodes
and Juanterri Rhodes

13 **ORDER**

14 IT IS SO ORDERED.

15 DATED: May 22, 2023

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19 U.S. MAGISTRATE JUDGE
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